

Testimony of Senator Max Baucus
Senate Committee on Health, Education, Labor and Pensions
Workplace Safety and Asbestos Contamination
July 31, 2001

I would like to thank you Senator Murray and Chairman Kennedy for holding this hearing on such an important issue and for allowing me to testify before the Committee today.

I sincerely hope that the attention directed to the tragedy at Libby, Montana by the distinguished members of this Committee will help ensure that no other community in this nation will ever suffer the same fate as the people of Libby.

Although the intense national attention focused on the town of Libby has not always been welcomed by residents in the community, I know that Senator Murray and the Committee called this hearing so that we can better understand what the federal government can do to make sure its citizens, particularly workers and their families, are protected from exposure to asbestos.

As many of you may know, hundreds of people in the small town of Libby in Northwestern Montana have sickened or died because of their exposure to asbestos contaminated vermiculite. Hundreds more will sicken or die. The vermiculite came from a mine owned and operated by WR Grace & Co. At its peak, the mine produced nearly 80% of the world's supply of vermiculite.

Mining and related activities at the mine released asbestos fibers into the air around Libby. Mine waste contaminated with asbestos was used all over the town, in the high school track, in local yards and an elementary school skating rink. The workers brought the dust home on their clothes and exposed their families. Many of those workers have died from asbestos related diseases. Many of their children and other family members are sick from asbestos. This is a terrible, terrible tragedy that has devastated this community.

And the worst, the very worst part about this tragedy is that, not only could WR Grace have done more to protect its workers and warn them of the dangers of asbestos, we in the federal government could have done more. As the Committee will explore with some of our witnesses today, the EPA could have done more, the Mine Safety and Health Administration could have done more. But not until a tragedy on the scale of Libby, Montana slaps us in the face do we react.

I have fought hard to focus the attention of EPA and other agencies on Libby because these people deserve our very best efforts to make their town whole and healthy again. The EPA in Montana has put a lot of time and resources towards cleaning up the town. The agency has put some terrific people on the ground to do what they can to protect residents from further exposure to asbestos.

But, as the field hearing I held back in February of 2000 highlighted, getting Libby, Montana a

clean bill of health involves some big hurdles B time, expense, the sheer size of the problem. Not only has the legacy of the Grace mine taken its toll in human lives and suffering, but it is costing millions.

And, it will cost millions more and cost more lives -- asbestos related illnesses take up to 40 years to show up. Despite the hard and dedicated work of local, state and other health officials, the victims in Libby face tremendous hurdles getting access to health care and treatment. The cost is simply crippling to some families.

Secretary Thompson did release an additional \$100,000 this year to help the residents of Libby get adequate treatment, at my insistence. Also, the Agency for Toxic Substances and Disease Registry (ATSDR), which has already screened thousands of residents for asbestos related illnesses, will screen an additional 2,000 residents.

But, despite this continuing federal support for the citizens of Libby, the size and scale of the Libby tragedy shows us that we could have done far more. The government policies and regulations we currently have in place didn't protect the workers, their families or the other residents in Libby, Montana from the deadly hazards of asbestos. That's a hard reality, and it should raise a lot of red flags about where, when and how the government regulates asbestos in this country today.

It's high time we seriously re-considered the scientific and public health evidence that has been available for decades about the dangers of asbestos. It's out there, and it's time we put it to use protecting our citizens. Because as Senator Murray noted in her opening statement, asbestos is still widely used in this country, in a variety of forms and a variety of places. Frankly, I don't know why some of the agencies here today haven't already acted -- what more proof of the continuing dangers posed by asbestos do they need than Libby, Montana?

I remain strongly committed to working to ensure residents of Libby and Lincoln County receive the help they need to make their homes and community safe for them, their children and grandchildren. Part of that commitment is making sure Libby never, never happens again.

I look forward to hearing the testimony of witnesses gathered here today. Hopefully, they can shed light on why Libby happened and what we learned from it. Thank you again Senator Murray, Mr. Chairman, and to all of the distinguished members of this Committee for allowing me to testify today.

One final note, I have invited the EPA Administrator, Christine Todd Whitman to attend an Environment and Public Works field hearing or town meeting in Montana this fall, to make sure that Libby continues to receive the attention and resources it requires to make the community whole.

I would like to extend an open invitation to Senators Murray and Chairman Kennedy, and any other interested members of this Committee to attend that hearing. Thank you again.

